

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AUGUST IMAGE, LLC,

Plaintiff,

-v-

COMPLEX MEDIA, INC., *et al.*,

Defendants.

24 Civ. 8433 (PAE) (RWL)

ORDER

PAUL A. ENGELMAYER, District Judge:

On January 17, 2025, defendants filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Dkt. 19. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.


Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by February 7, 2025. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by February 28, 2025, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that defendants rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by February 7, 2025. A reply from defendants shall be served by February 21, 2025. At the time any reply is served, the moving party shall supply the

¹ If defendants file a new motion to dismiss or rely on their previous motion, an opposition from plaintiff will be due 14 days thereafter, and a reply from defendants will be due seven days after that.

Court with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to EngelmayerNYSDChambers@nysd.uscourts.gov.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: January 17, 2025
New York, New York